

Message Text

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ORIGIN DLOS-04

INFO OCT-01 EUR-12 IO-10 ISO-00 L-03 OFA-01 ACDA-05 AGR-05

AID-05 CEA-01 CEQ-01 CG-00 CIAE-00 CIEP-01 COME-00

DODE-00 DOTE-00 EB-07 EPA-01 ERDA-05 FMC-01 TRSE-00

H-02 INR-07 INT-05 JUSE-00 NSAE-00 NSC-05 NSF-01

OES-03 OMB-01 PA-01 PM-04 PRS-01 SP-02 SS-15 USIA-06

FEA-01 /117 R

DRAFTED BY D/LOS:TSCULLY/INTERIOR:MAMASON:LB

APPROVED BY L/OES - MR. OXMAN

INTERIOR - MR. RATINER

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R 192254Z AUG 75

FM SECSTATE WASHDC

TO AMEMBASSY BONN

INFO USMISSION GENEVA

C O N F I D E N T I A L STATE 197168

E.O. 11652: GDS

TAGS: PLOS

SUBJECT: LOS: SECRETARY KISSINGER'S AUGUST 11 SPEECH -
DEEP SEABEDS

REF: BONN 12912

1. QUESTION RAISED BY KNOKE (REFTEL) CONCERNING COMMISSION
TO MONITOR EFFECTS OF DEEP SEABED MINING PROPOSED IN
SECRETARY'S MONTREAL SPEECH IS IMPORTANT, AND UNDER CAREFUL
CONSIDERATION ALONG WITH OTHER ASPECTS OF APPROPRIATE
MECHANISMS FOR AND FUNCTIONS OF SUCH A COMMISSION. EMBASSY
SHOULD INDICATE US CAN OFFER FOLLOWING PRELIMINARY THINKING
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AND WOULD WELCOME IDEAS AND SUGGESTIONS OF FRG.

2. PRINCIPAL IDEA UNDER CONSIDERATION INVOLVES INDEPENDENT COMMISSION AUTHORIZED TO MONITOR DEEP SEABED PRODUCTION TO DETERMINE THE POSSIBILITY OF ADVERSE EFFECTS ON ECONOMIES OF DEVELOPING COUNTRY LAND-BASED PRODUCERS. COMMISSION FINDINGS AND RECOMMENDATIONS FOR ACTIONS TO COUNTERACT SUCH EFFECTS WOULD BE REPORTED DIRECTLY TO STATES. IN THIS CASE, COMMISSION WOULD HAVE NO DIRECT RELATIONSHIP WITH ORGANS OF AUTHORITY AND WOULD ONLY SUBMIT INFORMATION REPORTS TO COUNCIL.

3. AN ALTERNATIVE PROPOSAL MIGHT INVOLVE EMPOWERING COMMISSION TO CONSULT DIRECTLY WITH STATES ON A COMMODITY-BY-COMMODITY BASIS ON DESIRABILITY OF ESTABLISHING GLOBAL COMMODITY AGREEMENTS COVERING BOTH SEA-BASED AND LAND-BASED SOURCES. OBLIGATIONS FLOWING FROM ANY EVENTUAL COMMODITY AGREEMENTS WOULD FALL ON INDIVIDUAL STATES THEMSELVES AND NOT ON INTERNATIONAL AUTHORITY, EXCEPT WITH RESPECT TO ANY PRODUCTION DIRECTLY UNDERTAKEN BY THE AUTHORITY.

4. UNDER APPROACHES DESCRIBED PARAS 2 AND 3, COMMISSION MIGHT ALSO BE EMPOWERED TO MAKE RECOMMENDATIONS ON QUESTION OF COMPENSATION FOR LDC LAND-BASED PRODUCERS FOR LOSS OF REVENUES DIRECTLY ATTRIBUTABLE TO SEABED PRODUCTION. THESE RECOMMENDATIONS MIGHT BE MADE TO AN ORGAN OF AUTHORITY SUCH AS THE COUNCIL, WHICH WOULD BE AUTHORIZED TO USE AUTHORITY'S NET REVENUES FOR THIS PURPOSE.

5. AS TO COMPOSITION AND VOTING, WE ARE CONSIDERING A COMMISSION OF THREE CATEGORIES - LANDBASED PRODUCERS, SEABED PRODUCERS AND CONSUMERS. A SPECIFIED MAJORITY OF EACH CATEGORY WOULD BE REQUIRED PLUS A SPECIFIED MAJORITY OF THE WHOLE COMMISSION TO ADOPT RECOMMENDATIONS. SINCE THE AUTHORITY'S FUNCTIONS AS A DIRECT SEABED PRODUCER MIGHT ALSO BE AFFECTED, WE ARE STUDYING THE ISSUE OF PARTICIPATION IN THE COMMISSION BY THE APPROPRIATE ORGAN OF THE AUTHORITY. KISSINGER

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: LAW OF THE SEA, POLICIES, TERRITORIAL WATERS, SPEECHES
Control Number: n/a
Copy: SINGLE
Draft Date: 19 AUG 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: greeneet
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975STATE197168
Document Source: CORE
Document Unique ID: 00
Drafter: TSCULLY/INTERIOR:MAMASON:LB
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D750287-0443
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750838/aaaabhnn.tel
Line Count: 98
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN DLOS
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 75 BONN 12912
Review Action: RELEASED, APPROVED
Review Authority: greeneet
Review Comment: n/a
Review Content Flags:
Review Date: 07 MAY 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <07 MAY 2003 by ifshinsr>; APPROVED <01 OCT 2003 by greeneet>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
06 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: LOS: SECRETARY KISSINGER'S AUGUST 11 SPEECH - DEEP SEABEDS
TAGS: PLOS, (KISSINGER, HENRY A)
To: BONN
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006